

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

SB 2059 – HB 2129

April 16, 2018

SUMMARY OF ORIGINAL BILL: Changes, from February 1 to January 15, the reporting date the Tennessee Bureau of Investigation (TBI) is required to provide its annual report to the General Assembly on the amount of money collected from gun dealers that is in excess of the cost to the TBI to perform background checks.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENT (017376): Deletes and rewrites the proposed legislation to enact the “School Safety Act of 2018”, which authorizes local education agencies (LEAs) to enter into memorandums of understanding (MOUs) with local law enforcement agencies to permit off-duty law enforcement officers to serve as armed school security officers during regular school hours as well as school sponsored events. Requires LEAs or local law enforcement to provide funding for armed school security officers.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Other Fiscal Impact – If any local education agency (LEA) elects to enter into a memorandum of understanding for employing armed school security officers, funding may come from a local law enforcement agency or from federal, state or local funding sources received by the LEA. Any increase in local government expenditures is considered permissive. The extent and timing of any permissive increase in local expenditures cannot be determined.

Assumptions for the bill as amended:


- The proposed legislation adds a new section to the Schools Against Violence in Education (SAVE) Act, compiled in Title 49, Chapter 6, Part 8, authorizing LEAs to authorize off-duty law enforcement officers certified by the Peace Officer Standard Training (POST) Commission to serve as armed school security officers during regular school hours when children are present as well as school sponsored events.

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- The proposed legislation requires those LEAs that elect to employ armed school security officers to enter into a memorandum of understanding (MOU) with each law enforcement agency that employs the law enforcement officers that the LEA intends to select to serve as armed school security officers. The MOU must prescribe the type of firearm to be used, the manner in which the firearm may be carried, provisions prohibiting the armed school security officer from addressing discipline issues that do not constitute crimes and do not impact the immediate safety of the students or staff, provisions stipulating that off-duty officers are required to follow the policies of the employing law enforcement agency, provisions detailing how scheduling of armed school security officers will be determined, and the hours and wages of each armed school security officer assigned to a school within the LEA.
- The proposed legislation requires the chief of each law enforcement agency in the state to prepare a list of the law enforcement officers that they deem as qualified to serve as an armed school security officer for LEAs. These lists are to be distributed to all LEAs within the jurisdiction of the law enforcement agency and law enforcement agencies in surrounding areas in which there is a mutual agreement for purposes of furnishing assistance in law enforcement.
- The proposed legislation allows for funding of the armed school security officers to come from law enforcement, or LEA funds including, but not limited to state, local or federal funds received by the LEA.
- The proposed legislation specifies that the armed school security officers are not to be used as a supplement to school resource officers and shall not replace school resource officers in any LEA.
- The number of LEAs that will enter into MOUs with local law enforcement agencies, the number of hours and wages of armed school security officers, and the source of funding for such officers are unknown. Therefore, the precise increase in state, local or federal expenditures resulting from this legislation cannot be quantified with reasonable certainty. However, any increase in local expenditures is considered permissive.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.



Krista M. Lee, Executive Director

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